Chapter 6
Separation, Discipline, Dismissal, Layoff, and Grievance

6.1 SEPARATION
- 6.1.1 RESIGNATION
- 6.1.2 RETIREMENT
- 6.1.3 NON-TENURED FACULTY REAPPOINTMENTS AND NON-REAPPOINTMENTS

6.2 DISCIPLINE, ADMINISTRATIVE LEAVE, AND DISMISSAL
- 6.2.1 DISCIPLINE POLICY
  - General Principles
  - Policy Interfaces and Routing
  - Faculty Member put on Administrative Leave during Proceedings
  - Grounds for Discipline
  - Discipline Process
  - Corrective Disciplinary Sanctions
- 6.2.2 DISMISSAL/TERMINATION OF FACULTY
  - Preliminary Proceedings Concerning Cause for Dismissal of a Faculty Member
  - Faculty Member put on Administrative Leave during Proceedings
  - Commencement of Formal Proceedings
  - Hearing Procedures
  - Consideration and Recommendation by University Hearing Committee
  - Documentation and Recordkeeping
  - Final Decision by the President
  - Publicity
- 6.2.3 AUTOMATIC DISMISSAL OF FACULTY

6.3 LAYOFFS
- 6.3.1 FINANCIAL EXIGENCY

6.4 FACULTY GRIEVANCE
- 6.4.1 FACULTY GRIEVANCE POLICY
  - Grievance Definition
  - Exclusions
  - Procedure
- 6.4.2 FORMAL GRIEVANCE PROCESS

6.1 SEPARATION

6.1.1 RESIGNATION[1]

Any faculty member who does not plan to be employed by Jacksonville State University for the next academic year is asked to submit a written resignation to their immediate supervisor by March 15, as a courtesy to allow the University adequate time to adjust course assignments, shift departmental responsibilities and student supervision, and possibly hire a replacement. Tenure is relinquished upon resignation.

6.1.2 RETIREMENT[2]

Faculty who plan to retire are advised to provide written notice to their department head and Human Resources at least 90 days before their anticipated retirement date to ensure there is no delay in applying for and receiving retirement compensation. Retirement providers require the application for retirement to be completed no more than 90 days, but no less than 30 days, prior to retirement date. Faculty are asked to plan their retirement dates to correspond with breaks between semesters, rather than during semesters, if at all possible. Further, faculty who anticipate retiring are asked to notify their department head as soon as the decision is made in order to help adjust course assignments, shift departmental responsibilities and student supervision to other faculty, and possibly hire a replacement. Tenure is relinquished upon retirement from the university.

Retired faculty may:

- participate in all ceremonies of the university.
- share in the social life of the faculty, including attending faculty and staff mixers.
- continue to use university facilities such as meeting rooms.
- purchase membership to the University Recreation Center.
- purchase discounted meals at the JSU cafeteria.
- attend all formal events held by the university.
- obtain a JSU Retiree Identification Card from the ID Office.
- present their JSU Retiree Identification Card to Parking Services and a JSU retiree parking decal will then be issued to the retiree at no cost. Retiree decals do not expire.
- check out books from the Houston Cole Library with their Retiree Identification Card.
- participate in the tuition-assistance program.
- apply for emeriti faculty status if they meet the stated criteria (see Section 3.4.1).

6.1.3 NON-REAPPOINTMENT OF NON-TENURED FACULTY[3]

Full-time non-tenured faculty members—including instructors and tenure-track faculty—are employed under fixed-term contracts, typically for one academic year. During the contract period, faculty members are entitled to due process if dismissal or termination procedures are initiated (see Section 6.2.2).

[1] Revised 06/2023; 03/2026
[2] Revised 06/2023; 03/2026
[3] Revised 06/2023; 03/2026

Reappointment recommendations are initiated by the department head and proceed through the dean to the Provost and Executive Vice President for Academic Affairs (Provost/EVPAA). The renewal or extension of a faculty appointment is at the sole discretion of the Provost/EVPAA. Such decisions may be made for cause or not for cause, provided they do not violate state or federal law or University policy.

Notification of reappointment is provided via faculty receipt of a contract for the next academic year. The deadline for annual contracts to be returned to the Provost/EVPAA will be noted on the electronic contract. Faculty members are under no obligation to accept a renewal or extension of their contract.

Notification of non-reappointment will be communicated to the faculty member via written communication from the Provost's office. The University will generally provide written notice of non-reappointment by March 1. However, JSU reserves the right to send such notice up until such time as an employment contract for the following year is executed.

6.2 DISCIPLINE, ADMINISTRATIVE LEAVE, AND DISMISSAL

6.2.1 DISCIPLINE POLICY[4]

At Jacksonville State University, we recognize that faculty members have an obligation to engage in civil discourse and perform their duties in a responsible manner, with intellectual honesty. Disciplinary action may occur when a faculty member behaves in an inappropriate manner, as described below, or does not fulfill their duties and responsibilities, as described in the Faculty Handbook and JSU Policies and Procedures Manual.

General Principles

- The process may begin when a department head or administrator becomes aware of an allegation, credible evidence, or a finding of misconduct.
- Resolution may occur at any point in the process.
- Faculty members have the right to respond to allegations and present evidence.
- All decision-makers must recuse themselves in cases of conflict of interest.

Policy Interfaces and Routing

If alleged conduct falls under the University's Sex Based- Harassment and Misconduct (Title IX) Policy[5] or Misconduct in Research, Scholarly, and Creative Endeavors Policy [6], the process will proceed in accordance with the applicable policy. In matters governed by Policy II:06[7], interim steps to protect research integrity and participants (e.g., record sequestration, access

[4] Revised 06/2023; 03/2026
[5] Policy I:01:25 Sex-Based Harassment and Misconduct Policy
[6] Policy II:06 Misconduct in Research and Other Scholarly Activities
[7] Policy II:06 Misconduct in Research and Other Scholarly Activities

restrictions, temporary PI changes) will be coordinated under II:06 in consultation with the Provost/EVPAA.

Placing the Faculty Member on Administrative Leave

The Provost/EVPAA may place a faculty member on administrative leave at any time during this process, if such action is warranted. Administrative leave may be imposed to safeguard the health or safety of students, faculty, or staff, or to prevent disruption of normal University operations, including circumstances in which the faculty member is unwilling or unable to fulfill assigned responsibilities (e.g., teaching obligations). Administrative leave imposed pending the outcome of disciplinary proceedings shall ordinarily be with pay, unless circumstances justify otherwise. Placement on administrative leave does not constitute disciplinary action and does not imply a determination regarding the merits of any allegations or contemplated action.

Grounds for Discipline

Grounds for discipline include, but are not limited to:

1. Violations of policies contained in the Faculty Handbook or Policies and Procedures Manual, including but not limited to failures to fulfill faculty responsibilities or to uphold standards of professional conduct;
2. Violation of established written policies or procedures of a college, department, or equivalent unit;
3. Chronic absenteeism unrelated to a documented disability or medical accommodation plan;
4. On- or off-campus substance abuse which results in absenteeism, tardiness, or poor work performance; or violation of the Substance Abuse Policy[8]
5. Refusal, without legitimate justification, to carry out a specific, reasonable assignment issued by a supervisor or University administrator;
6. Intentional deception that destroys the trust relationship between employer and employee and that causes significant harm or risk to JSU, such as financial loss, reputational damage, or breach of fiduciary duty (including, but not limited to, fraud or falsification of records or professional credentials);
7. Violation of academic or professional ethics, including, but not limited to unauthorized disclosure of confidential information, FERPA/HIPAA violations, or violations of the Code of Conduct and Ethics[9];
8. Actions that impair or prevent other members of the University community from fulfilling their responsibilities, or that create a clear and present danger to members of the University community;
9. Abuse of authority;
10. Violation of state or federal law or failure to disclose criminal convictions as required[10];

[8] Policy and procedures outlined in Policy I:02:13 Substance Abuse

[9] Policy I:05:04 Code of Conduct and Ethics

[10] Policy I:02:24 Employee Mandatory Self-Reporting of Criminal Offenses

11. Violation of professional or personal conduct related to resource use. Examples may include, but are not limited to, unauthorized use of University resources, misuse of University documents or identification, or unauthorized entry to a facility or property;
12. Failure to report potential conflicts of interest or commitment;
13. Breach of a faculty contract or violations of specific contract terms for faculty under contract;
14. A finding of responsibility for Title IX allegations, as determined in accordance with the Title IX policy[11];
15. A finding of misconduct in research, scholarly, and creative endeavors, in accordance with Research Misconduct Policy[12];
16. Failure to meet clearly defined expectations for improvement or change within the timeframe specified in a Performance Improvement Plan (PIP);
17. Any other cause directly and substantially related to the faculty member's fitness to serve as a teacher, scholar, or provider of public service.

Discipline Process

Below is a suggested process for full-time faculty whose direct supervisor is a department head and whose next-level supervisor is a dean. Note that this process may differ depending on circumstances. For administrative faculty, the department head role is replaced by their direct supervisor, and the dean role by the next-level supervisor.

1. **Initial Notification and Fact-Finding**
    - The department head or other administrator informs the faculty member of the allegation or findings and/or provides relevant documentation.
        - Additional information may be gathered from other knowledgeable parties.
    - The department head may involve the dean or other relevant administrators (e.g., Provost, Human Resources, University Counsel) prior to or after faculty notification.
    - In certain cases, the Provost may place the faculty member on administrative leave to protect health, ensure safety, or prevent disruption.
    - Findings of misconduct in research move immediately to **Step 4: Provost Response.**
    - In serious cases, a recommendation for dismissal may be made immediately, shifting the process to the dismissal procedures in Section 6.2.2 of the Faculty Handbook.
2. **Faculty Response**
    - The faculty member may request a meeting with the administrator and respond orally and/or in writing to the allegations and evidence.
3. **Supervisor Response**

[11] Policy I:01:25 Sex-Based Harassment and Misconduct Policy
[12] Policy II:06 Misconduct in Research and Other Scholarly Activities

- If sufficient grounds for discipline are found, the department head or dean may impose a sanction within their authority and communicate this in writing to the faculty member. Records of any disciplinary action, and accompanying documents, shall be retained by the department head and dean of the college.
- If a higher-level sanction is warranted, materials are forwarded to the Provost/EVPAA, including the faculty member's response.

4. **Provost Response:**
    - The Provost reviews all materials and may accept, reject, or modify the higher-level sanction recommendation.
    - If the finding is under appeal (e.g., Title IX or research misconduct), sanctions are withheld until the appeal concludes.
    - Consultation with University Counsel, Human Resources, or other parties may occur.
    - The Provost communicates the sanction in writing to the faculty member, University Counsel, and Human Resources. Further, in accordance with Section 3.1.5, records of any disciplinary action taken by the Provost, and accompanying documents, shall be retained in the Provost's office, with copies sent to the dean of the college.
    - Faculty members do not have the right to request a review by the Provost of disciplinary actions imposed by the department head or dean.
    - If dismissal is recommended, the process follows Section 6.2.2 of the Faculty Handbook.

Corrective Disciplinary Sanctions

In most circumstances, progressive steps of problem-solving will be followed in employee disciplinary matters. However, the University retains the right to administer discipline in any manner it deems necessary, including recommendation of termination of employment.

Sanctions may be imposed by different levels of administration depending on the severity of the misconduct.

Those typically imposed by the Department Head or Dean:

a. Verbal counseling/verbal warning (with documentation to be maintained in the individual's departmental personnel record with a copy provided to Human Resources)
b. Written reprimand (with documentation to be maintained in the individual's departmental personnel record with a copy provided to Human Resources)
c. Performance Improvement Plan (PIP) with clearly stated expectations for improvement/change and a timeline for follow-up agreed upon by both the department head and faculty member.
d. Removal from administrative responsibilities or other duties (e.g., program coordinator role or department head position)
e. Removal or denial of additional pay opportunities

Those imposed by the Provost/EVPAA include, but are not limited to the sanctions listed above, as well as the ones listed below:

f. Educational Sanction (e.g., participation in an educational program or activity or other program designed to manage behavior, understand why behavior was inappropriate, and/or assist the individual in learning more about how their behavior impacted themselves and/or the community)
g. Transfer of work assignment and/or supervisor (e.g., shifting the faculty member to another department/unit)
h. Disciplinary suspension for a set period of time (with or without pay)
i. Revocation of tenure

Those imposed by the President:

j. Dismissal from the faculty-- Dismissal/Termination procedures are set forth in Section 6.2.2.

6.2.2 DISMISSAL/TERMINATION OF FACULTY[13]

Dismissal/termination of a faculty member whose term appointment has not expired or of a tenured faculty member is the most severe sanction which the University may impose. In most cases, there will be a prior record of corrective discipline. Grounds for dismissal include, but are not limited to, the grounds for discipline listed in 6.2.1.

For purposes of dismissal of a tenured faculty member, **serious misconduct** means conduct constituting adequate cause for dismissal, including, but not limited to, professional incompetence, neglect of duty, failure to meet professional responsibilities, serious or repeated policy violations, criminal conduct affecting fitness for service, falsification of credentials or records, engaging in unprofessional conduct adversely affecting the institution, failure to successfully complete required remediation or a post-tenure review professional development plan, or other good cause as defined by University policy.

The Provost/EVPAA may grant a reasonable extension of the applicable time limit at each stage of the procedure upon the timely showing of good cause. The request for an extension must be in writing. The approval or denial of the request must also be in writing.

Placing the Faculty Member on Administrative Leave

The Provost/EVPAA may place a faculty member on administrative leave at any time during this process, including prior to or following the initial meeting, if such action is warranted. Administrative leave may be imposed to safeguard the health or safety of students, faculty, or staff, or to prevent disruption of normal University operations, including circumstances in which the faculty member is unwilling or unable to fulfill assigned responsibilities (e.g., teaching obligations). Administrative leave imposed pending the outcome of dismissal proceedings shall ordinarily be with pay, unless circumstances justify otherwise. Placement on administrative leave does not constitute disciplinary action and does not imply a determination regarding the merits of any allegations or contemplated action.

Preliminary Proceedings Concerning Cause for Dismissal of a Faculty Member

[13] Revised 03/2026

When reason arises to consider dismissal of a faculty member, the Provost/EVPAA (or a representative specifically designated by the Provost/EVPAA) will meet with the faculty member in a personal conference to discuss the matter, unless extenuating circumstances exist. Within five (5) business days following the personal conference, the Provost/EVPAA shall issue a written communication to the faculty member, delivered via University email (or personal email if the faculty member is placed on administrative leave), stating whether a disciplinary sanction will be imposed or whether the Provost/EVPAA intends to proceed toward dismissal.

Initiation of Dismissal Proceedings

If the Provost/EVPAA communicates an intent to proceed toward dismissal, the notice to the faculty member shall state the grounds for dismissal and include, as applicable:

- The specific and detailed charge(s) alleged to establish cause for dismissal, including identification of the rules, regulations, policies, and/or standards of professional conduct alleged to have been violated.
- If a formal finding of research misconduct already exists, that finding shall be identified as such rather than as an allegation.
- In matters involving Title IX, dismissal shall follow the procedures outlined in the applicable Title IX policy.

Upon receipt of this notice, the faculty member shall have five (5) business days to consider whether to resign. During this period, formal dismissal proceedings have not yet commenced.

If the faculty member does not resign within the five (5) business-day period, the Provost/EVPAA shall, within five (5) business days following the expiration of that period, forward the notice containing the stated grounds for dismissal to the Chair of the University Hearing Committee and to the administrator designated by the Provost/EVPAA to oversee this process. The forwarding of the notice to the Chair of the University Hearing Committee constitutes the commencement of formal dismissal proceedings.[14]

The faculty member may resign at any time prior to the issuance of a final recommendation by the University Hearing Committee.

Commencement of Formal Proceedings

When the Chair of the University Hearing Committee receives the Provost's forwarded notice of intent to dismiss, the Chair shall notify the faculty member of the hearing. Notice shall be provided via University email (or via personal email if the faculty member is on administrative leave) and shall specify the date, time, and location of the hearing. The hearing shall occur no fewer than ten (10) and no more than twenty (20) business days following the notice issued by the Chair of the University Hearing Committee. The purpose of the hearing is to determine whether dismissal is warranted based on the stated grounds.

[14] See Appendix A for the composition of the University Hearing Committee.

The faculty member shall acknowledge receipt of the hearing notice within three (3) business days.[15] If the faculty member fails to acknowledge receipt of the hearing notice, this shall be deemed a waiver of the right to contest the charges and shall result in automatic dismissal (see Section 6.2.3). If the faculty member wishes for a written response to be considered by the University Hearing Committee (UHC), such response must be submitted no fewer than three (3) business days prior to the hearing. If no written response is submitted, the hearing shall proceed, and the faculty member may present oral testimony if they choose.

If a formal research misconduct finding already exists,[16] the UHC will accept the established prior responsibility finding as fact. The UHC will not reexamine or readjudicate the underlying details or circumstances of the research misconduct case. Instead, the committee will proceed directly to the stage of **Consideration and Recommendation by University Hearing Committee**. In such instances, the role of the UHC is limited to determining whether dismissal is an appropriate and proportionate sanction, given the severity of the finding. The committee's focus will be solely on evaluating the proportionality of the sanction in relation to the established research misconduct, without revisiting the facts of the case.

Hearing Procedures

The initial session of the hearing will take place on the date established by the UHC in the notice of hearing. In order to be considered for a postponement, a timely request must be submitted demonstrating good cause for the delay. The determination to approve or deny such a request rests with the UHC or the Provost/EVPAA, who will evaluate whether the circumstances justify an extension given the particular facts presented. This session will bring together the parties (the University and the faculty member) and the UHC to place in the record the statement of charges, to deal with preliminary procedural matters, and to present evidence in the case, including testimony and cross-examination of witnesses. The session will be convened and presided over by the administrator designated by the Provost/EVPAA to oversee this process as a non-voting member of the UHC.

During the proceedings the faculty member is entitled to an attorney or an advisor of the faculty member's choice. The administration is entitled to have an attorney or an advisor, the Provost/EVPAA, or their designee.

The UHC will not be bound by strict legal rules of evidence and may admit any evidence which has a tendency to prove any fact of consequence to a determination of the issues to be decided relative to the rules, regulations, policies, and/or norms of professional conduct alleged to have been violated. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

[15] If the faculty member is formally challenging a prior finding of misconduct/responsibility (e.g., using the Title IX or research misconduct appeals process), the commencement of formal proceedings shall be put on hold until the resolution of the appeals process.

[16] Policy II:06 Misconduct in Research and Other Scholarly Activities

The UHC will vote with regard to granting adjournment or termination of the hearing.

The proceedings shall be closed unless all parties, including the UHC, agree that they should be open.

The faculty member will be afforded an opportunity to obtain necessary witnesses, documents, or other evidence. To this end, the administration will cooperate with the Hearing Committee in attempting to secure witnesses and making available documents and other evidence. The Chair shall provide a schedule for the notice of witnesses and other evidence. Unreasonable or unexplained failure to adhere to the schedule, as determined by the Chair, risks forfeiture of availability to present witnesses and other evidence.

The faculty member, or their advisor/attorney, and the administration, or their advisor/attorney, will have the right to confront and cross-examine all witnesses.

Consideration and Recommendation by University Hearing Committee

The UHC will reach its decision in private conference without assistance of counsel. The findings of fact and the decision will be based solely on the hearing record. The burden of proof that adequate cause exists rests with the administration and will be satisfied only by the preponderance of the evidence in the record considered as a whole.

In matters arising from research misconduct,[17] the prior responsibility finding is accepted as established for purposes of this section; the UHC's role is limited to determining whether dismissal, rather than a lesser sanction, is warranted. The committee may include information provided by the research misconduct investigating committee to inform its decision as to whether there is adequate cause for dismissal.

After deliberation, a vote will be called on whether adequate cause for dismissal exists. A majority vote is required. If a vote for dismissal does not pass, a second vote will be taken as to whether there is adequate cause for disciplinary sanctions, other than dismissal.

The UHC will prepare a written report within ten (10) business days from the completion of the hearing for the President which includes a copy of the Provost's letter outlining dismissal charges and the findings from the committee which they deem relevant to the President's decision. The faculty member shall also receive a copy of this report. The UHC will include whether (a) they recommend dismissal, (b) they recommend disciplinary sanctions other than dismissal, or (c) they recommend the faculty member not be dismissed or disciplined. If they recommend disciplinary sanctions, they should further describe which sanctions they feel are appropriate. If a faculty member has previously been suspended without pay, administrative leave may not be recommended by the Hearing Committee.

Documentation and Recordkeeping

[17] Policy II:06 Misconduct in Research and Other Scholarly Activities

A complete recording of all hearing proceedings shall be made to accurately document the events and testimonies presented during the process. The administration is responsible for arranging the presence of a qualified recorder to ensure that the proceedings are properly captured.

All hearing records, including the audio or written recording, related documents, and exhibits, shall remain the property of the University. These materials will be accessible exclusively to the members of the University Hearing Committee (UHC) and University President for their review and deliberation.

Members of the UHC are required to maintain strict confidentiality regarding all information obtained through the hearing and are prohibited from disclosing any details of the proceedings outside the committee.

All proceedings shall be documented and securely maintained in Maxient or other University-sponsored records retention repository, with access restricted to committee members and relevant administrators. Consistent with Alabama Records retention law, Section 9.18, employee administrative hearing files should be retained for 25 years after separation of the employee from the University.[18]

Final Decision by the President

The JSU President, acting under authority delegated by the Board of Trustees, shall render the final decision in all cases considered by the UHC. In addition to the material provided by the UHC, the President may request a review of the exhibits from the hearing and a copy of the hearing transcript. After considering the University Hearing Committee's recommendation, the President shall notify the faculty member and Provost/EVPAA of their decision in writing. Once the President has made a final determination as to whether adequate cause for dismissal exists, the matter shall be closed and not subject to further review or appeal. The Faculty Grievance Procedure (Section 6.4) shall not apply to this Dismissal Procedure or any final action taken pursuant to it.

Publicity

Public statements about the case by the faculty member, administrative officers, University Hearing Committee members, or legal counsel shall be avoided so far as possible until the proceedings have been completed. Notification of the final decision shall be made by the President's Office directly to the faculty member and the members of the UHC (which shall keep the decision confidential). If the final decision differs from the Hearing Committee's recommendation, the notification shall include a statement to that effect.

6.2.3 AUTOMATIC DISMISSAL OF FACULTY[19]

[18] Public Universities of Alabama Functional Analysis & Records Disposition Authority

[19] Revised 03/2026

A faculty member shall be subject to automatic dismissal if the faculty member abandons their position during the academic year; fails to return from an approved leave of absence; neglects to report for duty by the designated "Faculty Available" date at the start of the Fall or Spring semester for nine-month faculty; or fails to respond by a stated deadline during dismissal procedures (see Section 6.2.2).

Automatic dismissal under this section shall result in the irrevocable forfeiture of the faculty member's right to due process in connection with dismissal proceedings, as well as the relinquishment of any claim to tenure.

6.3 LAYOFFS

6.3.1 FINANCIAL EXIGENCY[20]

According to the procedures outlined in the Financial Exigency Policy, contained in the Jacksonville State University Manual of Policies and Procedures, the university may terminate or reduce the contract rights of tenured and non-tenured faculty members, when the board of trustees, in consultation with the president, determines that the university is faced with financial exigency.

6.4 FACULTY GRIEVANCE

6.4.1 FACULTY GRIEVANCE POLICY[21]

The JSU faculty grievance policy is designed to ensure that faculty (including administrative faculty) have a safe and healthy work environment and that their rights are protected. When a faculty member has a concern about their workplace, they should begin with informal discussions with their supervisor (e.g., department head or dean) to resolve the situation (which may involve the supervisor or faculty member consulting Human Resources for guidance). In the rare instance when a concern or situation cannot be resolved informally with their supervisor or their supervisor's supervisor (e.g., department head and dean) in a timely manner, the faculty member may choose to begin the formal grievance procedure.

Grievance Definition

A grievance is a written allegation or complaint in which a faculty member ("Grievant") believes that existing University or Faculty Handbook policies and/or procedures have been violated, misinterpreted and/or improperly applied, including the expectation of civility in behavior and discourse within the University setting (Faculty Handbook, Section 2.2.8), which is viewed by the Grievant as unfair, inequitable, or a hindrance to their effective work performance, except as limited below.

[20] Revised 06/2023
[21] Revised 05/2025; 08/2025

Exclusions

Section 6.4 does not apply to the following issues or allegations, in which case faculty should follow University or Faculty Handbook policy, if applicable:

- Non-reappointment of non-tenured faculty (see the Faculty Handbook, Section 6.1.3)
- Denial of promotion and/or tenure (see the Faculty Handbook, Section 5.2.10)
- Imposition of discipline, being placed on administrative leave, or dismissal (see the Faculty Handbook, Section 6.2)
- Layoffs due to financial exigency or discontinuance of a program or department for educational reasons (see the Faculty Handbook, Section 6.3)
- Allegations of sexual harassment[22]
- Allegations related to Title IX[23]
- Allegations of misconduct in research[24]
- Allegations of violation of JSU's substance abuse policy[25]
- Allegations of nonreporting of arrests/convictions[26]
- Your selection of employee benefits
- Your work with third parties
- Grievances involving any Cabinet-level administrator[27]

Procedure

The following section outlines the procedure by which faculty members may lodge a formal grievance. This procedure is designed to ensure there is a fair and transparent process for faculty to follow so their grievance may be heard and addressed. Faculty using this procedure will be entitled to do so without fear of retaliation, interference, coercion, or discrimination. For the purposes of this policy, the phrase "in writing" shall include electronic communication, such as email or dynamic forms.

6.4.2 FORMAL GRIEVANCE PROCESS[28]

Formal grievances must be submitted in writing using the "JSU Faculty Grievance Form." The Grievant should include information regarding the nature of the dispute, including specific facts and the outcome they are seeking, steps taken to resolve the grievance informally, and relevant documents or other information pertinent to the matter. The Grievant will also ensure that the grievance does not fall under an excluded category. The form will be routed to the Director of Human Resources and Provost/EVPAA. The JSU Faculty Grievance Form must be submitted within 180 days of the occurrence of the incident claimed to have given rise to the grievance. For repetitive or ongoing incidents or circumstances, the grievance must be filed within 180

[22] Policy and procedures outlined in Policy I:02:05 Sexual Harassment
[23] Policy and procedures outlined in Policy I:01:25 Sex-Based Harassment and Misconduct Policy
[24] Policy and procedures outlined in Policy II:06 Misconduct in Research and Other Scholarly Activities
[25] Policy and procedures outlined in Policy I:02:13 Substance Abuse
[26] Policy and procedures outlined in Policy I:02:24 Employee Mandatory Self-Reporting of Criminal Offenses
[27] These go to the JSU President for consideration, who shall resolve the matter as they deem appropriate.
[28] Revised 05/2025

days of the last occurrence of such incident or circumstance. Any claim not presented within the time frame provided shall be deemed to have been waived, except as described in this policy.

Within ten (10) business days of receipt of the JSU Faculty Grievance Form, the Human Resources Department, in consultation with University Counsel if needed, shall conduct a review of the grievance to ensure that the grievance was filed in a timely manner (within 180 days of the last occurrence of the event) and is not on the list of excluded grievances. If there is a question regarding timeliness or whether the action falls under this procedure, the Human Resources Department may request additional information from the Grievant. If the Human Resources Department determines that, on its face, the grievance is untimely or that this process is not available for the challenged action, the Human Resources Department shall dismiss the grievance and shall inform the Grievant and Provost/EVPAA in writing. Other than the review of the grievance described above, the Human Resources Department shall not conduct any further review or evaluate the factual merits of the grievance.

If the Human Resources Department determines that the grievance is actionable under this policy, they shall forward the grievance form to the appropriate supervisor(s), which in most cases would be the Grievant's department head and dean, as well as copying the Provost/EVPAA and the Grievance Committee Chair.

The supervisor(s) will provide email confirmation of receipt of the grievance, along with an estimated timeline for response to the grievance, within ten (10) business days to all parties originally copied. This formal response may include written documentation of steps previously undertaken to solve the complaint before the formal grievance was filed (if applicable). The supervisor(s) may also ask for a formal meeting with the Grievant to attempt to resolve the situation.

If a formal meeting is requested, the Grievant may choose another current JSU employee to attend the meeting to serve as witness to the meeting, but that employee shall not speak at the meeting. The supervisor(s) may choose another administrative employee to attend the meeting to serve as witness to the meeting, but that employee shall not speak at the meeting. Neither the Grievant nor the supervisor(s) may be accompanied by or represented by legal counsel; however, the supervisor(s) may seek advice from Human Resources or University Counsel before the meeting to provide guidance and ensure adherence to appropriate University policies, Handbook policies (including exclusions from the grievance process), and state and federal laws.

If the grievance is satisfactorily resolved with the supervisor(s), the Grievant will email all parties included on the initial communication to the supervisor and the case will be closed. However, if the supervisor(s) believe they cannot successfully resolve the grievance, if the Grievant indicates the resolution is not satisfactory, or if the supervisor has not addressed the grievance within the communicated timeframe, the grievance shall move to the Faculty Grievance Committee for arbitration.

The Grievance Committee Chair will communicate in writing the time and location of a meeting ("Grievance Meeting") with the Grievant and the Grievance Committee (see Appendix A for committee composition) within ten (10) business days of receipt of the unresolved grievance. The Provost/EVPAA and Human Resources shall be copied on all communication between the Grievance Committee Chair and the Grievant.

At the initial Grievance Meeting, the Grievant will present their grievance and answer questions asked by the committee. At the conclusion of this meeting, the Grievance Committee will determine whether subsequent meeting(s) are required. The Grievant and supervisor(s) may be asked to present additional evidence to the Committee. The Grievant, supervisor(s), or Grievance Committee may request witnesses with testimony pertinent to the case. As the meeting process is designed to be non-confrontational, only the Committee members will be allowed to question witnesses. The Grievance Committee may consult the Human Resources Department or University Counsel for advice on resolving grievances (except for grievances involving an action taken against the Grievant by the Human Resources Department, in which case the Chief Financial Officer shall serve as an advisor).

When the Grievance Committee members determine that they have heard enough evidence to provide a recommendation, or they determine that a resolution is not possible or is not appropriate, the Chair shall report findings and recommendations to the Grievant and to the Provost/EVPAA in writing within seven (7) business days following the Grievance Meeting. Upon receipt of the Grievance Committee's findings and recommendations, the Provost/EVPAA shall render the final decision regarding the Formal Grievance. The Provost's Office shall provide a written notification of the final decision to the Grievant, supervisor(s), and the members of the Grievance Committee (who shall keep the decision confidential). If the final decision differs from the Grievance Committee's recommendation, the notification shall include a statement to that effect.

Alternatively, the Grievance Committee may seek to bring about a settlement of the grievance satisfactory to the Grievant and supervisor(s). If a mutually agreeable settlement is reached, then the Formal Grievance shall be considered resolved. The Grievance Committee Chair shall provide a written notification of the resolution, describing the mutually agreeable settlement, to the Human Resources Department and the Provost/EVPAA.

The Provost/EVPAA may grant a reasonable extension of the applicable time limit at each stage of the grievance procedure upon the timely showing of good cause. The request for an extension and the approval or denial of the request must be in writing.

A faculty member may withdraw a grievance at any stage in the process. The withdrawal of a grievance must be submitted in writing to the Chair of the Grievance Committee and Provost/EVPAA.